

1 WILDE & ASSOCIATES  
Gregory L. Wilde, Esq.  
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5  
6 Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Loan Trust 2006-NC2  
09-74169

7 UNITED STATES BANKRUPTCY COURT  
8 DISTRICT OF NEVADA

9 In Re:

10 Wayne E. Burns

11  
12 Debtor

09-20142-mkn

Date:

Time:

Chapter 13

13  
14 **DECLARATION IN SUPPORT OF THE MOTION**  
15 **FOR RELIEF FROM AUTOMATIC STAY**

16 THE UNDERSIGNED DECLARES AND STATES:

17 1) I am over eighteen years of age and am employed by America's Servicing Company,  
18 servicer for Secured Creditor in the instant action. I have personal knowledge of the foregoing, except  
19 as to those matters stated under information and belief, and as to those matters I believe them to be  
20 true, and if called upon as a witness I could and would competently testify thereto.

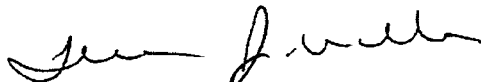
21 2) I am employed as the Assistant Secretary with Secured Creditor and I  
22 am familiar with Secured Creditor's treatment of loans involved in Bankruptcy proceedings. The  
23 records in question are maintained under my control and supervision.

24 3) These documents include, but are not necessarily limited to, loan documents,  
25 including promissory notes and deeds of trust and assignments kept in the ordinary course of business.  
26

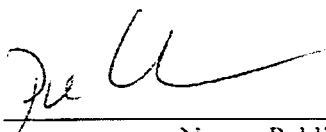
1 entries are made in the records of Deutsche Bank National Trust Company, as Trustee for Morgan  
2 Stanley Loan Trust 2006-NC2, at or about the time of any loan activity reflecting that activity, and  
3 payment histories on the subject loan.

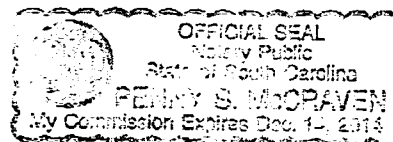
4 4) I have examined the files and records of loan number ending in 2308 for Deutsche Bank  
5 National Trust Company, as Trustee for Morgan Stanley Loan Trust 2006-NC2 regarding the Loan  
6 Modification that is the subject of this Declaration and I have confirmed that the Debtor's Loan  
7 Modification request was denied on or about March 12, 2010 as the debtor failed to provide current  
8 financials to complete loan modification review.  
9

10  
11  
12 I declare under penalty of perjury that the foregoing is true and correct.

13  
14   
15 BY: Teresa J. Williams  
16 Assistant Secretary

17 SUBSCRIBED AND SWORN TO before me, the undersigned notary public, on the March 30,  
18 2010.

19   
20 Notary Public



**WILDE & ASSOCIATES**

Electronically Filed on \_\_\_\_\_

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and

**MARK S. BOSCO, ESQ.**

Arizona Bar No. 010167

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Phoenix, Arizona 85016

Telephone: (602) 255-6000

Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Loan Trust 2006-NC2  
09-74169

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In Re:

09-20142-mkn

Date:

Wayne E. Burns

Time:

Chapter 13

Debtor

**CERTIFICATE OF MAILING**

1. On 3/31/10 I served the following document(s):

DECLARATION IN SUPPORT OF THE MOTION FOR RELIEF FROM AUTOMATIC  
STAY

2. I served the above-named document(s) by the following means to the persons as listed below:

☒ a. ECF System

David Krieger

[dkrieger@hainesandkrieger.com](mailto:dkrieger@hainesandkrieger.com)

Attorney for Debtor

Rick A. Yarnall

ecfmail@lasvegas13.com  
Trustee

**X b. United States mail, postage fully prepaid:**

David Krieger  
1020 Garces Ave.  
Las Vegas, NV 89101  
Attorney for Debtor

Rick A. Yarnall  
701 Bridger Avenue #820  
Las Vegas, NV 89101  
Trustee

Wayne E. Burns  
6300 West La Madre Way  
Las Vegas, NV 89130  
Debtor

**☐ c. Personal Service**

I personally delivered the document(s) to the persons at these addresses:

☐ 1. For a party represented by an attorney, delivery was made by handing the document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by leaving the document(s) in a conspicuous place in the office.

☐ 2. For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

**☐ d. By direct mail**

Based upon the written assignment of the parties to accept service by email or a court order. I caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**☐ e. By fax transmission**

1 Based upon the written assignment of the parties to accept service by fax transmission or a court  
2 order. I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by  
3 the fax machine that I used. A copy of the record of the fax transmission is attached.

4 ☐ **f. By messenger**

5 I served the document(s) by placing them in an envelope or package addressed to the persons at  
6 the addresses listed below and providing them to a messenger for service.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 DATED this 29th day of March, 2010.

9  
10 By: 